

SIAM

by

WILBUR LAURENT WILLIAMS

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1 1 1

INTRODUCTION

SIAM was defined by a political realist in the early years of the present century as a "treaty-defended buffer state between British and French territory in the Indo-Chinese peninsula," which exercised effective jurisdiction over an area of only "about 96,000 square miles." At this time extensive regions in the south and in the northeast, comprising in all about 150,000 square miles, had been marked out as spheres of influence by England and France,¹ although administered by Siam. Furthermore, existing treaties gave extraterritorial rights to the nationals of many Western nations, and determined Siam's tariffs. Today, as the result of a process of Westernization which, nevertheless, has left intact the fundamentals of Siamese civilization, Siam is one of the few politically independent kingdoms on the mainland of Asia. It exercises almost complete legal jurisdiction over all foreigners within its borders and now enjoys complete tariff autonomy. In addition, its undisputed domain has been established over an area slightly more than 200,000 square miles in extent.²

Siam's present status of practical equality among the nations of the world is the outward and visible sign of a long period of internal progress—political, social and economic—which had its inception eighty years ago in the mind of the fourth monarch of the present dynasty, King Mongkhut. This King, who ruled from 1851 to 1868, devoted twenty-seven years of his manhood as a Buddhist monk to a study of Western civilization and learned English, French and Latin from American and French mission-

aries. As a result, he became convinced that his country should be opened to foreign trade on the one hand, and that, on the other hand, modernization of his government must be undertaken to preserve its independence.

In large measure the final achievement of international equality in 1927, subject only to the promulgation of a few remaining law codes, was a result of this internal modernization, especially in the field of legal and judicial affairs. Siam's demonstrated stability in internal government and its steady development of facilities for foreign trade also played a part. Furthermore, the rivalry between the expanding colonial empires of Great Britain and France—the former entrenched in Burma to the west and in the Federated Malay States to the south and the latter in Indo-China to the east—served to assure Siam's position as a buffer state for some decades and thus provided the country with a breathing spell in which to bring to fruition the measures proposed by King Mongkhut.³ These measures began to take form during the long reign of King Mongkhut's successor — King Chulalongkorn (1868-1910). While the initiative for reform rested with the ruling dynasty, great reliance was placed on foreign advisers, who served both to begin the reforms and to train a body of Siamese to carry on the modernized governmental machinery which was fashioned. The lack of any striking economic development other than rice farming at the time of the Western impact early in the nineteenth century and for many years after, served to make Siam a less tempting acquisition than it might have been otherwise; finally, the fact that its military es-

1. Archibald Little, *The Far East* (Oxford, Clarendon Press, 1905), p. 258, 260.

2. *Statesman's Year-Book, 1930* (London, Macmillan, 1930), p. 1265. Its area is slightly less than that of the New England and Middle Atlantic states, Maryland and Virginia.

3. For a discussion of the territorial changes which Siam underwent in various treaties with France and Great Britain, cf. p. 149.

tablishment was well developed at the early stage of its contact with the modern, imperialistic West was not without influence in discouraging foreign aggression.

To Americans the record of Siam's progress is doubly interesting. Not only is the nation's reigning monarch—King Prajadhipok—at present in the United States, but Americans have played a distinguished rôle in the modernization of his state and the progress of his people.⁴

THE LAND

Siam's land boundaries march on all sides with those of French and British colonies or protected states—Burma, Malacca, Cambodia and Annam. Its coast line, 1,300 miles in extent, is largely on the Bay of Siam. For the most part the country occupies the long and fertile valley of the Mênam river;⁵ from north to south it stretches from 20 degrees to 6 degrees of north latitude, but at its widest extent its east and west borders are only 480 miles apart.⁶ Physically the country consists of four principal sections—the fertile, rice-growing Mênam valley; the mountainous regions of the north, with their vast forests of teak wood; the rich tin-bearing peninsula to the south of Bangkok and an eastern plateau of great potential agricultural resources now undergoing development.

Rice, tin ore and teak wood are the principal products of Siam, and figure most

largely in its export trade.⁷ Agriculture is the occupation of the vast majority of the population, and of agricultural products rice is by far the most important; 93 per cent of the land under cultivation is devoted to this crop⁸—the staple food of the nation—and rice forms slightly over 70 per cent of Siam's annual exports.⁹

Chief among the forest products of Siam is teak. The teak forests of the north, which extend over some 41,000 square miles—one-fifth of the total area of the country—are the most valuable state property in the kingdom.¹⁰ In 1896 the government instituted a Forestry Department to control the exploitation of the forests and to promote reforestation. At the same time a timber revenue station was established at which royalty and customs fees were collected by the government.¹¹

Of Siam's mineral products the principal one is tin, which is mined extensively by Chinese in the southern peninsula. The activities of Chinese miners are thought to date back at least 200 years. In recent years the major development has been in the hands of Australian firms operating on government leases. In the past two decades the annual production of metallic tin has averaged about 6,500 tons. Revenue, which is fixed by the government on a sliding scale based on market prices, has amounted to well over \$1,125,000 annually in recent years.¹²

PRODUCTS AND FOREIGN TRADE

In addition to rice, tin ore and teak wood, the outside world has purchased from Siam, in order of importance, rubber (in recent years), cattle, salted fish and sticklac. A major portion of these products has gone to

4. Americans have been advisers to Siamese rulers ever since 1903. For eleven years before that date the post of general adviser was held by a Belgian, M. Rolin-Jaequemynne. He was succeeded by Edward H. Strobel, of the Law School of Harvard University, who held the same title. In 1908, when Mr. Strobel was succeeded by Jens I. Westengard, also of Harvard University, the position was changed to that of adviser in foreign affairs. Beginning with Mr. Strobel, each American adviser in turn has taken an active part in the negotiation of Siam's treaties, and each has been a member of the Siamese Supreme Court. (Cf. p. 148.) A complete list of the American advisers follows: Edward H. Strobel, 1903-1908; Jens I. Westengard, 1908-1915; Wolcott H. Pitkin, 1915-1917; Eldon R. James, 1917-1924; Francis Bowes Sayre, 1924-1926; Courtenay Crocker, 1925-1926; Raymond B. Stevens, 1926—. All have been students, graduates or faculty members of the Law School of Harvard University. (Cf. Eldon R. James, "Yale and Harvard in Siam," *Harvard Graduates' Magazine*, Vol. 34, June 1926, p. 503-531.)

In addition, American physicians attached to the International Health Board of the Rockefeller Foundation have played a large part in the public health work and medical education of Siam since 1917. At present all departments in the Faculty of Medicine of Chulalongkarana University are headed by Americans. For a detailed account of the work of the International Health Board in Siam, cf. *Public Health and Philanthropic Institutions in Siam* (Bangkok, Bangkok Times Press, 1926), chap. 3.

5. Mênam itself means river, but has become the accepted English name for this waterway. The Siamese name for the river is *Mênam Chau P'ayâ*—or "Mother-of-waters-in-chief." Cf. Siam, Ministry of Commerce and Communications, *Siam: Nature and Industry* (Bangkok, Bangkok Times Press, 1930), p. 3.

6. Cf. Siam, Ministry of Commerce and Communications, *Commercial Directory for Siam, 1929* (Bangkok, Bangkok Times Press, 1929), p. 13.

7. M. A. Pugh, "Economic Development of Siam," *Trade Information Bulletin*, No. 606 (Washington, Department of Commerce, 1929), p. 39.

8. Cf. *Siam: Nature and Industry*, cited, p. 204. Of the total area of the country, only about 5 per cent is under rice cultivation. Furthermore, in many regions two crops of rice are secured in one year. While rice is grown extensively in all of the kingdom's fourteen "circles," the principal seat of the industry is the central valley along the Mênam.

9. *Ibid.*, p. 210, and U. S. Department of Commerce, *Commerce Yearbook, 1930* (Washington, Government Printing Office, 1930), Vol. II, p. 497.

10. *Siam: Nature and Industry*, cited, chap. 8. The actual area covered by trees is estimated at 11,000 square miles. Originally, exploitation of the teak forests was in the hands of Burmese, Shans and Chinese, but since the closing decades of the last century European firms—chiefly English—have been the principal factors.

11. In the thirty years since the institution of the Forestry Department, over 100,000 logs have been floated to out-ports annually and the revenue of the government has been in excess of \$500,000 a year. *Ibid.*

12. *Ibid.*, chap. 7.

Great Britain and its colonies—especially India, Malaya and Hong Kong (China)—Japan, the Dutch East Indies and Germany. From the outside world Siam has bought principally cotton goods, petroleum products and motor cars, machinery and iron and steel, tobacco products, sugar and silks. These purchases have been made chiefly from Great Britain and its colonies, China, Japan and the Dutch East Indies.¹³ Throughout, the balance of trade in merchandise has been distinctly favorable to Siam. Invisible items, such as interest on foreign debt and shipping services, have tended to create a more even balance, but imports of gold and silver bullion into Siam have been fairly large and fairly constant.¹⁴ Siam's foreign trade, as compared with that of other Far Eastern territories in the same region of Asia, is shown below.

TABLE I
Per Capita Trade by Countries—1929¹⁵

Country	Population (in thousands)	Per Capita Trade (in dollars)	
		Imports	Exports
French Indo-China*	21,200	4.9	5.6
British Malaya	3,919	130.0	133.0
Dutch East Indies	52,825	8.2	11.0
Philippine Islands	11,922	24.7	27.6
Siam	11,506	8.0	10.9

*The figures for French Indo-China are for 1928.

THE PEOPLE

Recent official figures based on a nationwide census in 1929 place the population of Siam at nearly 11,500,000 persons, of whom about 700,000 live in the Bangkok area—the only metropolitan district in the country.¹⁶ Of this population, approximately 10,000,000 are listed as Thai or Siamese proper.¹⁷

The Siamese are a people of Mongolian stock whose remote origin was probably in

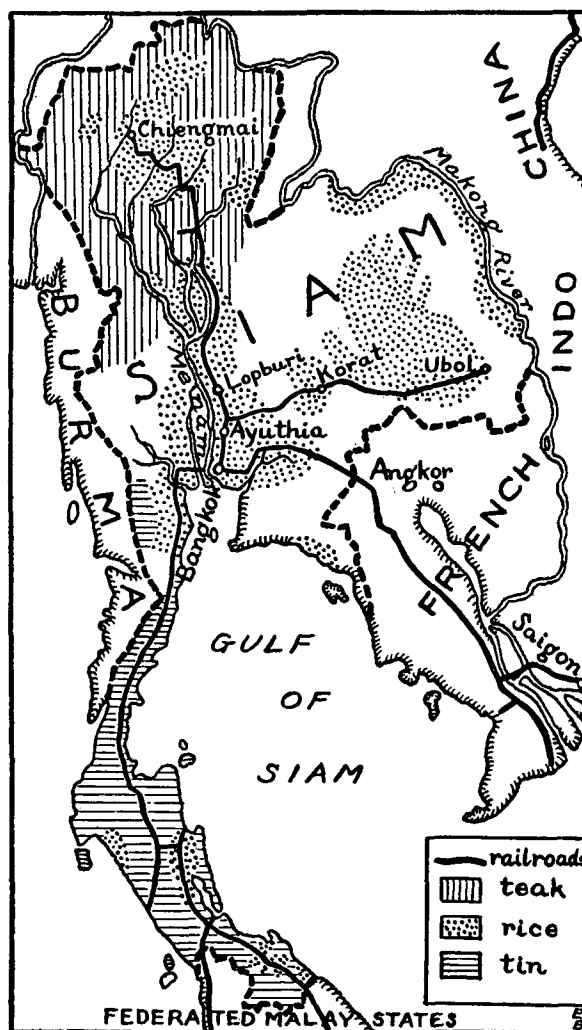
13. For this section, cf. *Commerce Yearbook, 1930*, cited, Vol. II, p. 496-498. The United States has played a small part in Siam's trade to date, but is seeking an increased activity at present, which may be stimulated by the visit of the King. Motor cars, petroleum products and machinery have been the principal imports from the United States.

14. During the last nine years for which figures are available (1920-1929), Siam's imports and exports have averaged \$157,958 in value annually. (Cf. *Commerce Year-Book, 1930*, cited, Vol. II, p. 496.) Since 1929 trade has suffered from the effects of the world economic depression; in the first month of the present Siamese year (April 1931) trade at Bangkok was reported to be the lowest in years. (Cf. U. S. Department of Commerce, *Commerce Reports*, Washington, Government Printing Office, weekly, May 25, 1931, p. 460.)

15. *Commerce Year Book, 1930*, cited, Vol. II, p. 682.

16. Cf. Siam, Executive Committee of the Eighth Congress of Tropical Medicine, *Siam: General and Medical Features* (Bangkok, Bangkok Times Press, 1930), p. 215 et seq.

17. The Siamese call themselves Thai or "Free" and their country *Muang-Thai* or "Kingdom of the Free." The English name Siam is derived apparently from the Shan tribe of the north. Cf. *Statesman's Year-Book, 1930*, cited, p. 1265.



SIAM

Communications and Principal Products

Central Asia. In the seventh century they came into Siam from southwestern China, subsequently founding several kingdoms to the north of the Mon-Khmer empire, then occupying what is now Siam.¹⁸ By the beginning of the twelfth century the Thai, Mon and Khmer had intermarried extensively and the ruling king at Lopburi was of mixed ancestry. By the middle of the fourteenth century the kingdom at Lopburi fell before a fresh wave of Thai people who were driven southward by the Mongol invasion of Kublai Khan which was sweeping China at that time.¹⁹ These Thai invaders established a new capital at Ayuthia, and with the founding of their régime the modern history of Siam may be said to begin.

18. *Siam: Nature and Industry*, cited, p. 82-84.

19. G. Nye Steiger, H. Otley Beyer and Conrado Benitez, *A History of the Orient* (Boston, Ginn and Company, 1926), p. 162.

The Chinese, who are estimated officially to number half a million, though some observers believe them to be twice as numerous, are the most important alien group.²⁰ They predominate not only as tin mine owners and miners, but also as retail merchants.²¹

BEGINNING OF MODERN SIAMESE HISTORY

Adventurous European traders, of whom the Portuguese in 1511 were the first, began to arrive at Siamese ports even before they reached Burma. Ever since, trade has been the chief object of the majority of foreigners in Siam. As was the case in other Oriental countries, the foreign trader fell into disfavor for many years, but in Siam, as later in Japan, was welcomed eventually, although his encouragement meant at first foreign impositions on the freedom of the state, such as foreign dictated tariffs and extraterritorial rights.²² Among the early foreign traders was the son of a Levantine innkeeper, Constantine Faulkon, who arrived at Ayuthia in 1659 and soon became adviser to the ruling monarch. For many years Faulkon served the interests of the Siamese well by encouraging commerce with the Dutch, Danes, English and French. In 1688, however, as the result of a plot into which he entered with French missionaries to bring the country under French political influence, the Siamese revolted against the reigning house, driving it from power, kill-

ing Faulkon and expelling the French ships and French soldiers who had been sent to Siam.²³ A long period of disorder followed, during which the country was once more invaded by the Burmese, who compelled the Siamese to submit in 1767. Fifteen years later the Burmese were driven out, however, and the first king of the present dynasty, Rama I, ascended the throne,²⁴ establishing his capital at its present location, Bangkok, in 1782.²⁵

The reigning monarch of Siam, King Prajadhipok, is the seventh of his dynasty.²⁶ Born in 1893, the King was educated at Eton, Woolwich and *L'Ecole Supérieure de Guerre* at Paris. He was called to the throne on November 26, 1925, at the age of 33, upon the death of his brother. Queen Rambaiarni, who has accompanied her husband to this country, is a daughter of the King's uncle. She and the King were married in 1918; they have no children. The present law of succession in Siam is indeterminate. In 1887 King Chulalongkorn, recognizing the danger of ambiguity, decreed that the reigning monarch should designate his successor. His son, Rama VI, modified this law shortly before his death in 1925 to provide that the eldest son of the reigning monarch should be heir apparent; but as Rama VI died without any male heir, his only remaining full brother, the present King, was designated as his successor.²⁷

THE GOVERNMENT OF SIAM

It was King Mongkhut, grandfather of King Prajadhipok, who in 1851 decided to modernize Siam's entire government so as to secure for the country a place of equality among the nations. As a first step a Ministry of Foreign Affairs was created in 1855; in 1871 state education was introduced, while in 1887 public health work was undertaken. In 1892 a Ministry of Justice was established and the existing courts were reorganized, while the first of a series of new law codes was promulgated in 1895. A Ministry of Finance was also created in 1892 and exist-

ing departments—foreign affairs, education, lands and agriculture—were reorganized. The effects that these changes had on the life of the people and on the relations of Siam with foreign powers will be discussed more fully in later sections of the present study. At the moment it remains only to outline the main features of present administrative organization.

23. *History of the Orient*, p. 333-334.

24. *Ibid.*, p. 335.

25. For a full account of early Siamese history down to the founding of the present dynasty, cf. W. A. R. Wood, *History of Siam* (London, T. F. Unwin, 1926).

26. The names of the seven monarchs of the present dynasty, known as the House of Chakri, and their dates, follow:
Rama I, 1782-1809; Rama II, 1809-1825; Rama III, 1825-1851; Rama IV (Mongkhut), 1851-1868; Rama V (Chulalongkorn), 1868-1910; Rama VI, 1910-1925; Rama VII (Prajadhipok), 1925—.

27. Lucian Swift Kirtland, "Royal Visitors From Siam," *New York Herald Tribune*, March 8, 1931.

20. Other significant elements of the population are Shans, who are "hill tribes" of the north; Malays, in lower Siam, who are being assimilated rapidly but who retain their Moslem religion; and Cambodians, Indians and Burmese. *Siam: Nature and Industry*, cited, chap. 6.

21. "Economic Development of Siam," cited, p. 2.

22. Cf. p. 147 *et seq.*

PROVINCIAL AND LOCAL GOVERNMENT

The present structure of provincial and local government, which began to take form in 1892, follows closely the old Chinese imperial model. The circles—fourteen in number—are subdivided into provinces (79), districts (413), and communes (5,109).²⁸ The first two divisions are administered by officials appointed by the central authority in Bangkok; the chief officer of the commune is selected by the headmen of the villages forming the commune, while each headman is elected by the votes of all adults—women as well as men—in his village. As in China, the chief functions of the village headman are to preserve public order and to collect taxes. The village headman in Siam is subject to two checks: (1) he may be removed at the insistence of the district head, who represents the central authority, or (2) he may be recalled upon the initiative of the village electors. Otherwise he holds office for an indeterminate period during good behavior.²⁹ When internal governmental organization began in 1892, some areas, notably Chiangmai in the north, were virtually autonomous, while others farther north and to the west were under hereditary local chieftains. The present system, accomplished without a severe struggle, has created a definitely recognized central authority throughout the entire kingdom, while preserving a large and clearly defined measure of local government in all the small units of administration.

Bangkok is governed separately by a Lord-Prefect, who is a royal appointee. In an interview since his arrival in the United States, King Prajadhipok has indicated, however, that plans are now under consideration which may eventuate in a new form of municipal government for the capital.

"We are planning a new municipal law to experiment with the franchise. Under this law the people would be permitted to elect some of their municipal councilors. . . . It is my opinion that the beginning of suffrage should be in the municipalities. . . ."

"I think it would be a mistake for us to have parliamentary government until the people have learned to exercise the franchise through experience in local government."³⁰

CENTRAL GOVERNMENT

Siam is one of the world's few absolute monarchies. Although King Prajadhipok is thus unfettered by any legal checks, his rule is tempered by custom, and his executive powers are administered through nine organized ministries.³¹ Finally, although there is no legislature in Siam, the King is advised by three bodies: a Supreme Council of State, constituted by the present monarch and consisting of five Princes of the royal family; a Cabinet Council, created in 1892, and consisting of Cabinet Ministers, all of whom are members of the royal family also, and a few other officials of high rank; and a Privy Council, originally created by King Chulalongkorn and recently reconstituted as a special body of forty members to act as an Advisory Board. While this latter body considers only such matters as are referred to it by the King, not less than five of its members may request the submission for its consideration of any impending question.³²

FISCAL AFFAIRS

Siam's budgets, first instituted in 1897, have balanced in all but a few years. A system of accounts and audit was established also in 1897, and from the start a clear distinction was made between the purse of the royal household and the civil and military divisions of the government, while the systems of taxation and revenue collection were carefully regulated. In these latter measures, the experience of the British in Burma was utilized through the employment of British financial advisers from that country. As a first result, Siam was able to float loans for railroad construction, beginning in 1905 and 1907, without being obliged to accept foreign financial control such as was customarily demanded in China in similar circumstances during this period. In all, Siam borrowed \$65,824,000 between 1905 and 1924, mainly from England, and used the proceeds entirely for productive pur-

31. These ministries are: Foreign Affairs, Finance, War, Marine, Public Instruction, Interior, Lands and Agriculture, Commerce and Communications, and Justice. Cf. Committee of American Friends of Siam, *Siam, A Brief Sketch of Its History and Government* (New York, 1931), p. 5. In addition, there is a Minister of the Royal Household.

32. *Ibid.*, p. 6. During the absence of the King from Siam, his half-brother has been named Regent. Nevertheless, the King keeps in frequent touch with affairs in Siam by cable and telephone, and all questions of importance are submitted to him for his personal decision. (Cf. *New York Herald Tribune*, April 24, 1931.)

28. *Statesman's Year-Book*, 1930, cited, p. 1265.

29. *Siam: General and Medical Features*, cited, p. 9-10.

30. *New York Times*, April 28, 1931.

poses, such as railway and irrigation construction. By March 1, 1929 this debt was reduced to \$55,405,000 by ordinary operation of the sinking fund, while a separate Debt Redemption Fund, which was created from surplus revenue in recent years, will be sufficient to pay off two loans totalling \$24,200,000 on the earliest redemption dates—1932 and 1934.³³

For many years Siamese currency was linked with the pound sterling and was thus, in effect, on a gold basis. In 1928 the *baht* was revalorized and made directly redeemable in gold.³⁴

The principal sources of government revenue are the government services—particularly the railroads—government domains, land taxes and a capitation tax, customs, excise and the opium monopoly.³⁵

Since Siam achieved tariff autonomy in 1927,³⁶ revenue from customs duties has nearly doubled. By the Customs Tariff Decree of March 26, 1927, as amended on December 5, 1928, several specific import duties were levied and the *ad valorem* duties were raised to 5 per cent. The only export duty retained was that on rice.³⁷ In Table II comparative figures of revenue and expenditure are given for the years 1926-1927 and 1930-1931. The most striking changes in revenue sources in recent years are, on one hand, the great increase in customs receipts, and, on the other, the decrease in receipts from the opium monopoly³⁸ and the abolition of inland transit duties following the achievement of tariff autonomy.

In the last budget the increase in expendi-

TABLE II
Siam's Revenues and Expenditures
(in baht)

REVENUE			EXPENDITURE		
	<i>Actual</i> 1926-1927 ³⁹ (B. E. 2469)	<i>Budget</i> 1930-1931 ⁴⁰ (B. E. 2473)		<i>Actual</i> 1926-1927 ³⁹ (B. E. 2469)	<i>Budget</i> 1930-1931 ⁴⁰ (B. E. 2473)
<i>Item</i>			<i>Item</i>		
Government Domains			Revenue collecting	5,056,690	6,418,929
Forests, mines, sales			Government Services		
and rent	8,780,136	7,535,597	Less railroads	2,544,078	4,691,741
Government Services			Development		
Post office, telegraph,			Irrigation	1,031,261	1,729,800
railroads (net),			Fisheries	51,380	110,416
etc.	13,635,697	15,875,000	Ways (road-building)	2,099,755	4,500,000
Interest and Commis-				3,182,396	6,340,216
sions	4,731,215	1,236,480	Debt Service and Re-		
Direct Taxes			duction	9,935,610	9,699,477
Land Revenue	11,621,291	11,798,200	Civil Administration		
Capitation	10,059,653	9,950,000	Public Health	978,603	1,476,238
	21,680,944	21,748,200	Gendarmerie	4,833,571	5,624,113
Customs	11,442,140	20,862,800	Prisons	1,948,120	2,631,817
Excise	10,872,585	11,981,855	Justice	2,365,226	2,358,912
Inland Transit Du-			Education	2,460,094	3,416,862
ties ⁴¹	2,100,170	Other	14,830,781	17,755,002
Fisheries	1,231,402	1,211,000		27,416,395	33,262,944
Opium Monopoly	18,001,437	16,400,000	Defense		
Fees, Fines, and Li-			Army	12,626,000	12,626,000
censes	7,165,184	8,774,933	Navy	4,545,000	4,545,000
Miscellaneous	949,855	967,270	Air	3,400,000	4,000,000
TOTAL	100,590,765	106,593,135		20,571,000	21,171,000
			Royal Household	6,822,388	6,838,300
			Pensions	3,078,445	3,429,200
			Miscellaneous	21,944,544 ⁴²	14,682,530 ⁴³
			TOTAL	100,551,546	106,534,337

ture for economic development, civil administration and debt reduction was roughly 18,770,000 *baht* (\$8,260,000) over that provided four years before. Nevertheless, some critics within Siam point with dissatisfaction to the relatively large part of the annual

budget—roughly nearly 20 per cent—devoted annually to defense, comparing it unfavorably with the expenditure on education, although this has increased in the past few years from only about 2 per cent of the annual budget to approximately 6 per cent.”

SOCIAL AND ECONOMIC PROGRESS

Siam's modernization has not stopped with the handling of public finances and the organization of governmental machinery through ministries, law codes and courts, however, but has extended to several important spheres of social and economic activity bearing more directly on the life of the people. Throughout, no attempt has been made to force change abruptly; on the other hand, reforms deemed essential have been carried out without interruption, on the theory that a large measure of the public education necessary for their acceptance can best be provided by the working of the reforms. In the words of King Prajadhipok, “The slogan of Siam has been to adapt, not to adopt.”⁴³ This has applied especially to the reforms in education, public health and agriculture.

PUBLIC EDUCATION

Education, essentially of a religious character, has played a part in the life of a majority of the Siamese for many generations. While Siam has uniformly followed a policy of toleration toward various religions for many decades, the vast majority of its population is Buddhist—of the *Hinayana*, or “Lesser Vehicle,” school.⁴⁴

Up to forty years ago, it was the custom for all young boys to spend a period of not less than three or four months at a monastery, where they were taught reading, writing, arithmetic and morality. Even today 68 per cent of the schools in Siam are located in monasteries.”

Education in the modern sense may be said to have had its beginning in 1871, when King Chulalongkorn caused the organization of a school to teach the Siamese language, arithmetic, and government service methods. Soon English was added. These early schools were designed for the education of the sons and relations of high officials. In 1887 a Department of Education was established and in 1892 a Teachers' Training College was instituted at the capital. In 1898 a royal rescript requested the priests to give instruction in “general knowledge” and charged local officials to aid them. Thereafter educational officers were sent throughout the whole kingdom and model schools were widely organized. Finally, in 1921, primary education was made compulsory for both boys and girls. Throughout, “education was modified . . . to meet the needs of the country.”⁴⁵

33. *Siam, A Brief Sketch of Its History and Government*, cited, p. 15. Siam's present foreign debt is not greatly in excess of one year's revenue. During the past few years Siam's annual revenues have averaged \$48,786,000, while budgeted expenditure has averaged \$44,100,000 a year. Cf. Siam, Ministry of Finance, *Statistical Year Book . . . 1928-29* (Bangkok, Bangkok Times Press, 1929), p. 227.

34. The *baht* (called by foreigners the *tical*) is now equivalent to 0.66567 grams of fine gold. While the *baht* has fluctuated between 36.7 and 45 cents in American currency since 1913, it is now stabilized at about 44 cents. (“Economic Development of Siam,” cited, p. 10.) On March 31, 1929 total note, silver and subsidiary coinage in circulation was 200,400,922 *baht*, or about 17 *baht* (\$7.50) per capita. (*Statistical Year Book . . . 1928-29*, cited, p. 274-275.)

35. Direct taxes represent an annual per capita burden of about \$1.90, while total annual revenue averages about \$3.85 per capita.

36. Cf. p. 150.

37. *Commercial Directory for Siam*, 1929, cited, p. 20-22.

38. Opium revenues were \$10,120,000 in 1919-1920; by 1930-1931 estimated revenue from this source was placed at only \$7,216,000—a decline of more than 25 per cent. Siam, Ministry of Finance, *Report of the Financial Adviser for the Year B. E. 2473 (1930-1931)*, Bangkok, Bangkok Times Press, 1930, p. 12-13.

39. *Report of the Financial Adviser . . . for the year B. E. 2471 (1928-1929)*, cited. In Siam the years are counted since the attainment of enlightenment by the Buddha. As this is considered to have occurred on April 1 of the year 543 B. C. by our calendar, the present year is designated in Siam as B. E. (Buddhist Era) 2474.

40. *Report of the Financial Adviser . . . for (1930-1931)*, cited.

41. Inland transit duties were abolished on September 13, 1927 (B. E. 2470). Cf. Siam, Department of Customs and Excise, *Foreign Trade and Navigation of Siam, 1925-1926 and 1926-1927* (Bangkok, Bangkok Times Press, 1927), p. 183.

42. Included 3,000,000 *baht* for liquidating privy purse liabilities and 17,719,154 *baht* for writing off debts carried over.

43. Included the following items: Economic development, 3,400,000; Primary education, 3,000,000; Capital expenditure, 5,600,000; Debt reduction, 1,000,000. The appropriation for primary education took the place of a local education cess abolished in 1930 on the direct initiative of the King.

44. Andrew A. Freeman, “The Kingdom of Siam,” *Current History* (New York), May 1931, p. 230.

45. *New York Times*, April 28, 1931.

46. The *Hinayana* or “Lesser Vehicle” is regarded by Western scholars as more nearly akin to the original teachings of the Buddha than is the more dominant *Mahayana*, or “Greater Vehicle,” school, which is the prevailing Buddhism of China and Japan. The sacred books of the *Hinayana* are in *Pali*, thought to be a dialect of the early popular Aryan language of India—*Prakrit*. The *Mahayana* scriptures, on the other hand, reached China, and later Japan, in Sanskrit, the literary language of the Indian Aryans. *Hinayana* Buddhism is now found principally in Ceylon, Burma and Siam, and since the latter is an independent kingdom, its king has included among his titles that of “Defender of the Faith.”

47. The monasteries are now under the control of the Department of Education in so far as their schools are concerned, and teach a much wider range of subjects than formerly. (*Siam: General and Medical Features*, cited, p. 173.)

48. *Ibid.*, p. 174-175.

In the present-day educational scheme in Siam, the primary course is one of five years for boys and three years for girls. For boys the primary course consists of three years of general education, followed by two years of training in some trade or handicraft, except for those going on into secondary schools, who omit the courses in trade and handicraft.

The secondary course of eight years is divided into general and special courses, which are open to both boys and girls. The special courses are vocational and deal with training of teachers; arts and crafts;⁴⁹ commerce; agriculture; and training of nurses and midwives. Special emphasis is placed on teacher training. Three training colleges for men and women are established at Bangkok, and a special Agricultural Teachers' Training College prepares teachers for the large number of agricultural secondary schools throughout the country.

The general courses, which are designed as preparation for higher education, are in three sections—general, scientific and linguistic. Higher education is offered both to young men and young women in the government's Chulalongkarana University, which is composed of four faculties—Medicine,⁵⁰ Arts and Sciences, Political Science and Administration, and Engineering. In addition, there are higher technical schools for training of governmental personnel, such as the Military College, the Naval College and the Law School.⁵¹ Besides government institutions, there are four private colleges, two of which are missionary institutions.⁵² Roman Catholic missions, chiefly in the hands of the French, have been in Siam for nearly three centuries; American Presbyterians, the principal Protestant group, have recently celebrated a century of activity there. Both have enjoyed not only the toleration of the Siamese people, but the esteem of Siam's rulers as well.

Among the upper classes, some send their sons abroad for study, while a large number

of students are sent to Europe and the United States annually by the government, many of them being supported by the royal purse. Although originally most students sought government posts—which carried with them titles of nobility—opportunities in the sphere of business have been increasing for many years. While there was at one time a tendency to view business as an activity beneath the educated man, with the result that Chinese largely monopolized the retail trade, and became important factors in the more lucrative import and export trade as well, young Siamese have now turned in part to business. Commercial schools have multiplied in recent years and enrollments have taxed the capacity of existing institutions.⁵³

Educational progress in Siam compares very favorably with that in other countries in the Far East, showing a larger percentage of children in school than in most of the Far Eastern dependencies.⁵⁴

TABLE III
School Population: Siam and Far Eastern Dependencies

Country	Population	Number of Children in School	Percentage
Japan ⁵⁵	62,045,000	9,312,517	15.0
Philippines ⁵⁶	12,000,000	1,111,500	9.26
Siam ⁵⁷	11,506,000	625,741	5.5
Burma ⁵⁸	13,212,000	675,882	5.1
Dutch East Indies ⁵⁹	50,000,000	1,500,000	3.0
Korea ⁶⁰	19,000,000	515,000	2.7
French Indo-China ⁶¹	20,000,000	200,000	1.0

PUBLIC HEALTH

Second only to education, both in the extent to which it has penetrated the country and in the degree to which it has touched the life of the people, has been public health work. Here, as in education, the initiative

53. Thirty young men were graduated from the commercial school in Bangkok in 1928, for instance, and all were reported to be engaged by business houses in the capital shortly thereafter. ("Economic Development of Siam," cited, p. 4.)

54. Since primary education became compulsory in 1922-1923, large gains in school enrollment have been made. In 1914-1915 the total number of pupils in schools under the Ministry of Education was 119,032, of whom only 5,239, or less than 5 per cent, were girls. By 1928-1929 total enrollment had increased to 625,741; of this number 239,150, or over 38 per cent, were girls. Teachers, who numbered only 4,446 in 1915-1916, had increased to 14,544 by 1928-1929 and were nearly all Siamese graduates of the Teachers' Training College at Bangkok. The total number of schools in the latter year was 6,541, of which 5,362 were local, 276 government and 903 private. (*Siam: General and Medical Features*, cited, p. 179-180.)

Both the Boy Scouts and the Junior Red Cross are viewed as supplementary aids to practical education. In 1929 the Boy Scouts in Siam numbered 43,000, while the Junior Red Cross had a membership of more than 34,000. (*Ibid.*, p. 178-179.)

55. *Japan Year Book, 1929*, p. 223.

56. Raymond Leslie Buell, "Philippine Independence," *F. P. A. Information Service*, Vol. VI, Nos. 3-4, April 30, 1930, p. 43.

57. *Siam: General and Medical Features*, cited.

58. *Statesman's Year-Book, 1930*, cited, p. 154.

49. These include: teaching of drawing and basketwork; printing; carpentry and cabinet making; gold and silver handicrafts; and wood carving. *Ibid.*, p. 176.

50. This faculty is now being reorganized by the International Health Board of the Rockefeller Foundation. At present all department heads are Americans. Cf. p. 138, footnote 4.

51. *Ibid.*, p. 177.

52. One is the Bangkok Christian College, conducted by American Presbyterians. (Board of Foreign Missions of the Presbyterian Church, *Pen Picture of the Siam Mission*, p. 17.)

for the wide dissemination of medical treatment and preventive work has been with the government for the most part, though foreign experts have been utilized, especially since 1917 when the International Health Board of the Rockefeller Foundation carried its work to Siam.

While Siamese records indicate that "during the period of Khmer hegemony . . . consideration was given to sanitation as then understood,"⁵⁹ modern medicine is of comparatively recent introduction. The first medical missionary from Europe was a Jesuit who came to Siam in 1676. American missionaries, who reached Siam several years before the first American treaty in 1833, established medical missions. One of these was in the important northern town of Chiangmai,⁶⁰ where the missionaries also founded the first institution for lepers in Siam.⁶¹

The opening of a medical school in 1889 marked the beginning of governmental efforts for public health in Siam. Shortly thereafter an American physician at Bangkok was charged with the supervision of health conditions in the capital and in 1897 the first public health decree was issued. This was a local sanitation measure applicable only to Bangkok, and, besides providing for a medical officer and a sanitary engineer, dealt with conservancy, nightsoil, nuisances and control of buildings.⁶² Certain sanitary and building clauses were deferred, however—an interesting indication of the frequently expressed desire of the government to set the tempo of progress in realistic relation to the temper and understanding of the people. An early report of the Department of Public Health, which was established in 1918, reflects both the cautious attitude of the government and the difficulties to be encountered:

"Health education and law ought to work together. If the law is too far in advance of the education of the people it will be more or less ineffective. If the government delays the promulgation of a law until the education of the people leads them to demand it, advance will be unduly delayed."⁶³

59. *Ibid.*, p. 185.

60. Cf. map, p. 139.

61. *Siam: General and Medical Features*, cited, p. 186.

62. Cf. *Public Health and Philanthropic Institutions in Siam* (Bangkok, Bangkok Times Press, 1926), p. 10.

63. *Ibid.*, p. 9.

PUBLIC HEALTH ACTIVITIES OF THE GOVERNMENT

Accordingly, the strongest efforts of the government have been exerted in the direction of public health education, which has been articulated closely with actual sanitary supervision and preventive health measures. Final responsibility for public health work in Siam rests with the Ministry of the Interior, of which the Department of Public Health is a part.⁶⁴ Medical education, however, is under the supervision of the Ministry of Education.

In 1925 the government supported twelve hospitals and seventy-nine dispensaries.⁶⁵ In addition there were seven other hospitals in Bangkok—one a Chinese hospital—and fourteen hospitals in the interior, twelve of which were missionary institutions.⁶⁶ A start has been made in infant and maternal welfare work. This is largely expressed in nursing services under government auspices and in a municipal midwifery service in several centers of population. The institution in 1921 of a department dealing with vital statistics is expected to point the need for additional work of this character. Considerable attention is also given to epidemic diseases, the most important of which are plague, cholera, smallpox and cerebro-spinal meningitis.⁶⁷ In addition, an extensive educational and preventive campaign has been carried on against hookworm disease—first by the International Health Board of the Rockefeller Foundation and later by the Siamese Red Cross.

AGRICULTURE

In the sphere of social progress, the principal activities of the government have concerned the education and health of the people; in the economic sphere greatest at-

64. *Siam: General and Medical Features*, cited, p. 188. In 1929 the staff of the central health department numbered 784, thirty-nine of whom were physicians and medical officers stationed at Bangkok, while the provincial field staff included 127 medical officers. Indirectly under the Department of Public Health are twenty-eight medical officers and twenty-two nurse-midwives. (*Ibid.*, p. 201-202.) In 1930 direct appropriations to the Department of Public Health totaled about \$625,000, or nearly 4 per cent of the budget.

65. Their relatively wide diffusion throughout the kingdom is indicated by the fact that only two of the government hospitals and one of the dispensaries are located in Bangkok. (*Public Health and Philanthropic Institutions in Siam*, cited, p. 13.)

66. *Ibid.*

67. Vaccination has been used widely and successfully to combat smallpox. In Bangkok and the interior provinces over half a million persons were vaccinated in 1918; in 1930 total vaccinations were nearly a million and three-quarters. (*Siam: General and Medical Features*, cited, p. 222.)

tention has been given to agriculture, which is the occupation of the vast majority of the population. The government has encouraged agriculture principally by comprehensive projects for irrigation. Existing irrigation works are chiefly located in the rich central valley of the Mênâm. In the rice bearing regions of northern Siam native irrigation has long been practiced.

The first modern irrigation system in Siam was begun in 1916, under the direction of a British engineer—Sir Thomas Ward—and was brought into partial operation for the first time in 1922.⁶⁸ The undertaking was completed at a cost of \$6,600,000. Projects for six other major systems and for canals and river control throughout the whole kingdom are now under construction at an estimated cost of \$13,200,000.⁶⁹

In the past year measures have been taken looking to the development of scientific agriculture throughout the kingdom. A seed testing laboratory is to be established and nation-wide efforts are to be made to improve the quality of the farmer's seed.

RAILROADS

Superficially, railroads provide the most striking indication of the modernization of Siam. A Railway Department was established in 1890 by King Chulalongkorn, and construction was commenced in the following year. By the beginning of the present century, some seventy-seven miles of road were in operation; by March 31, 1928 the total railway mileage was 1,804 miles, and 114 miles of railway were under construction.⁷⁰ As is indicated on the map on p. 139, the rail system links Bangkok to the northern district at Chiangmai, and the important northeastern towns of Korat and Ubol. Furthermore, lines run east to the border of Cambodia, the westernmost part of French Indo-China, and south to connect with the British controlled system of the

Federated Malay States terminating at Singapore, while a western line to connect with the Burmese railroads is projected. The railway system is owned by the state and is one of the important sources of revenue.⁷¹

The capital cost of the railways to March 31, 1927 was placed at about \$73,000,000—or a cost of approximately \$26,824 a mile. Earnings for the year ending on that date were \$4,217,268—a return of 5.74 per cent. Passengers carried in that year totalled 6,095,000, and in 1928, 6,683,000.⁷²

In recent years attention has been given to the construction of highways, with the result that by March 31, 1931 there were 800 miles of state highway under the control of the central government and 585 miles of provincial highway.⁷³

AVIATION

Aviation in Siam began in 1913 as a military activity and when Siam declared war against the Central Powers in 1918 a contingent of airplane mechanics, as well as transport workers, was dispatched to France.⁷⁴ After the World War, the government transformed a large part of its military flying corps into a "Royal Aeronautical Service," which has subsequently been used extensively in public services, such as transportation of mails, passengers and goods.⁷⁵

The first commercial air line was established in 1922 and commercial air routes now cover a total of 483 miles.⁷⁶ Meanwhile a new service has been projected which will link Siamese air lines with existing routes of the French Indo-Chinese system, the Dutch East Indies air lines and the proposed Imperial Airways extension from India to Australia.

71. *Commerce Yearbook, 1930*, cited, p. 499.

72. *Ibid.*

73. Most of this latter construction represents third-class roads. (*Commerce Reports*, cited, June 1, 1931, p. 540.) On January 1, 1930 there were 7,121 automobiles in the country, of which 2,849 were trucks. (*Ibid.*)

74. Cf. *Aviation in Siam* (Bangkok, Bangkok Times Press, 1926), p. 1.

75. This service has also constructed ambulance planes, which have been used in connection with several emergencies, and as adjuncts to the health education campaign.

76. In the first year of operation only 4,960 miles were flown and one passenger carried. In 1927-1928, the most active year to date, a total of 61,042 miles was flown, passengers carried totaled 1,860, and 3,961 bags of mail were transported. (*Siam: Nature and Industry*, cited, chap. 21.)

68. *Siam: Nature and Industry*, cited, p. 193 et seq. Irrigation works were projected, in 1899 and an expert from the Dutch East Indies was employed, but financial considerations at that time prevented much development. (*Ibid.*, p. 192.)

69. "Economic Development of Siam," cited, p. 13. Concurrently with the beginning of actual work on the first irrigation project, the government undertook in 1916 to organize cooperative credit societies. On March 31, 1930 the total membership in the cooperatives was 2,220 and the total number of societies 128. (*Siam: Nature and Industry*, cited, p. 261.)

70. *Commercial Directory for Siam, 1929*, cited, p. 29.

SIAM'S INTERNATIONAL STATUS

Following the destruction of French influence at Ayuthia in 1688,⁷⁷ a long period ensued during which Siam had no treaty relations with the outside world. The principal nations trading in the Far East were busily occupied elsewhere and it was not until 1820, when the Portuguese attempted to negotiate a treaty with Siam, apparently without success,⁷⁸ that a new effort was made to establish formal relations with the Siamese.

In 1826, however, the British succeeded in negotiating a treaty with Siam,⁷⁹ as did the United States seven years later.⁸⁰ Both treaties reaffirmed existing Siamese laws to the effect that no foreigners had the right to acquire land or live permanently in the country, and provided that all difficulties involving foreigners were to be settled according to the established laws of Siam.⁸¹ Furthermore, it was stipulated in the British treaty that no opium should be imported into the country,⁸² while additional articles agreed to in 1827 provided that English traders were not to buy rice or to import gunpowder, firearms or shot unless these were to be sold to the government.⁸³ It is thus not too much to say that Siam began its treaty relations with the modern West on a basis of equality.

IMPOSITION OF
EXTRATERRITORIAL RIGHTS

Until 1855 no new treaties were made by Siam. In that year, partially as a result of Great Britain's expanding trade interests and partially because the reigning King of Siam had determined on ascending the throne in 1851 to open his country to foreign trade, a new treaty was negotiated with Great Britain.⁸⁴ Twelve years after China had

granted extraterritorial rights to foreigners, Siam granted similar privileges, permitting a British Consul to reside at Bangkok with authority to try cases affecting British nationals. The treaty further stipulated that a 3 per cent *ad valorem* import duty was to be levied,⁸⁵ and established the right of British nationals to reside in the neighborhood of Bangkok and to acquire land there and construct buildings. During the succeeding fifteen years Siam became bound by similar treaties with twelve other Western nations.⁸⁶

A dispute soon arose over the status of Asiatic subjects of Great Britain—Burmese and British Indians—who were in northern Siamese provinces in which British were allowed to trade but not to reside by the 1855 treaty.⁸⁷ To deal with this dispute a treaty was entered into in 1874 between Siam and the Government of India,⁸⁸ regulating immigration between Burma and Siam and providing that in criminal cases the holders of British passports should be tried either by the British Consul at Bangkok or by a British officer stationed in Burma. For civil cases the King of Siam was to appoint a judge to sit at Chiangmai who would have jurisdiction if the British passport holder consented; otherwise civil cases were to be decided in a manner provided in criminal actions, but British subjects without passports were to be subject to Siamese courts.⁸⁹

In 1883 this treaty was abrogated in large part by a new treaty concluded with Great Britain.⁹⁰ The most important provisions of the 1883 treaty were those (a) empowering the British to appoint a Consul to reside at Chiangmai, and (b) establishing a system of jurisdiction, already foreshadowed by the provision for a Siamese judge in the 1874 treaty, which operated through what came to be known in later treaties as the "Inter-

77. Cf. p. 140.

78. Eldon R. James, "Jurisdiction Over Foreigners in Siam," *American Journal of International Law*, Vol. 16, 1922, p. 589. For an account of Siam's relations with Western nations before this date, cf. *ibid.*, p. 585-589.

79. Treaty of June 20, 1826, Great Britain, Foreign Office, *British and Foreign State Papers* (London, H. M. Stationery Office, 1812-1926), Vol. 23, p. 1153.

80. Treaty of March 20, 1833, William H. Malloy, *Treaties . . . between the United States of America and Other Powers, 1776-1909* (Washington, Government Printing Office, 1910), Vol. II, p. 1626.

81. Article V of the British treaty, cited, and Article IX of the American treaty, cited.

82. Article X.

83. Additional Articles to Treaty of June 20, 1826, dated January 17, 1827, *British and Foreign State Papers*, cited, Vol. 23, p. 1165.

84. Treaty of April 18, 1855, *British and Foreign State Papers*, cited, Vol. 46, p. 138.

85. Export and inland transit duties were specified in a long annex to the treaty and it was provided that opium might be imported free of duty but might be sold only to the opium farmer or his agent. (*Ibid.*)

86. United States and France, 1856; the Hanseatic Republic and Denmark, 1858; Portugal, 1859; the Netherlands, 1860; Prussia and the states of the German Customs and Commercial Union and the Grand Duchies of Mecklenburg-Schwerin and Mecklenburg-Strelitz, 1862; Sweden and Norway, Belgium and Italy, 1868; Austria-Hungary, 1869; and Spain, 1870. ("Jurisdiction Over Foreigners in Siam," cited, p. 591.)

87. Treaty of April 18, 1855, cited, Article IV.

88. Treaty of January 14, 1874, *British and Foreign State Papers*, cited, Vol. 66, p. 537.

89. *Ibid.*

90. Treaty of September 3, 1883, *British and Foreign State Papers*, cited, Vol. 74, p. 78.

national Courts." These courts were to be composed of Siamese judges who were to exercise

"civil and criminal jurisdiction in all cases arising . . . between British subjects, or in which British subjects may be parties as complainants, accused, plaintiffs or defendants, according to Siamese law. . . ."

In such cases the British Consul was to have the power to "evoke" to his own consular court any case in which both parties were British subjects or in which the accused or the defendant was a British subject.^{90a} The treaty also provided for right of appeal to Bangkok where the case was to be considered by the Siamese authorities and the British Consul-General in consultation, with a provision that final decision should rest with the Siamese in cases where the defendant or the accused was a Siamese and with the British in all other cases.⁹¹ These provisions applied originally to only three provinces of northern Siam, but within thirteen years were extended by the British to eight additional provinces.⁹² Roughly similar provision was made with regard to French Asiatics in the Franco-Siamese treaty of 1904,⁹³ and in Danish and Italian treaties of the following year, as had been done already in a treaty with the Netherlands in 1901.⁹⁴

While, from the Siamese point of view, the British treaty of 1883 marked considerable advance, it assumed, nevertheless, that consular jurisdiction would continue indefinitely. Hence, to the Siamese, the most important treaty of the nineteenth century was one concluded with Japan in 1898.⁹⁵ By a protocol attached to this treaty it was provided that Japan should exercise consular jurisdiction over its nationals in Siam only "until the judicial reforms of Siam shall have been completed. . . ."⁹⁶

EXTENSION OF SIAMESE JURISDICTION

Within the first decade of the present century two further treaty modifications were

secured which had an important effect upon the extraterritorial rights enjoyed by the principal Western powers in Siam. The first of these was a French treaty of 1907.⁹⁷ By its provisions Siam regained jurisdiction over all French Asiatic subjects not registered at the French consulate prior to the treaty date, while registered French Asiatics were to be under the jurisdiction of the International Courts, subject to the customary right of evocation. In these latter cases appeal to the Siamese Court of Appeals in Bangkok was provided for, and it was required that judgments of this court must bear the signature of two Europeans who were to be members of the Court.⁹⁸ Furthermore, Siam was obliged to allow French Asiatics to own land, to reside anywhere in the kingdom and to travel freely.⁹⁹

The second treaty was one with Great Britain,¹ secured by Siam two years later. This treaty marked an even greater advance, in that it placed all British subjects, whether European or Asiatic, under Siamese jurisdiction.² A provision similar to that in the French treaty was made for the presence of two foreign members on the Court of Appeals, however. In addition, in cases involving British subjects of European origin, a European legal adviser was to sit in the International Court or the ordinary Siamese court, and if the European were the defendant the opinion of this legal adviser was to prevail.³ Until the end of the World War no further treaties of importance were negotiated.

The restoration of jurisdiction to Siam, in so far as it was accomplished in the treaties which have been reviewed, depended in large measure upon the modernization of justice by Siam. This modernization began in earnest in 1892 with the establishment of the Ministry of Justice. Finally, in 1908,

97. Treaty of March 23, 1907, cf. *British and Foreign State Papers*, cited, Vol. 100, p. 1028.

98. Protocol, Treaty of March 23, 1907, cited, Clause V. A step in this direction had already been taken by the Siamese. In 1895 a Mr. R. J. Kirkpatrick became adviser to the Ministry of Justice and in 1898 was made a member of the Court of Appeals, apparently on Siamese initiative. In 1900 there were nine foreigners employed as legal advisers or assistant legal advisers by the Ministry of Justice. ("Jurisdiction Over Foreigners in Siam," cited, p. 597.)

99. Treaty of March 23, 1907, cited, Article VI.

1. Treaty of March 10, 1909, *British and Foreign State Papers*, cited, Vol. 102, p. 126.

90a. Article VIII.

91. Article IX.

92. "Jurisdiction Over Foreigners in Siam," cited, p. 594.

93. Treaty of February 13, 1904, *British and Foreign State Papers*, cited, Vol. 97, p. 961.

94. "Jurisdiction Over Foreigners in Siam," cited, p. 596.

95. Treaty of February 25, 1898, *British and Foreign State Papers*, cited, Vol. 90, p. 66. At this time Japan was finally freeing itself from the régime of extraterritoriality.

96. Protocol to the treaty of February 25, 1898, Article 1.

2. As in the French treaty, registered British subjects were to be tried in the International Court, while non-registered subjects were placed under the jurisdiction of ordinary Siamese courts.

3. Protocol to the Treaty of March 10, 1909, cited, Section 4.

following several years of work by a codification commission aided by European advisers, the Penal Code was promulgated, while the 1895 Law on Organization of Courts was revised. In recognition of the advances which had been made, the British treaty of 1909 provided that the International Courts should come to an end and their jurisdiction be transferred to ordinary Siamese courts after the coming into force of all the Siamese codes.⁴

TERRITORIAL AGGRESSION IN SIAM

The loss of jurisdiction which Siam suffered as a result of the opening of the country to foreign trade in 1855 was not the only disability which followed the development of European interests in southeastern Asia, for during this period Siam lost territory as well—partly by foreign aggression and partly by treaty.

In 1809, when Rama II came to the throne, Cambodia was the scene of conflict between the Annamites and the Siamese, as a result of which a Cambodian province was annexed by Siam.⁵ In 1844 a claimant to the Cambodian throne who had been educated at Bangkok crossed the border with a Siamese army and placed the entire country under Siamese protection.⁶ In 1863 this Cambodian ruler made a treaty with the French, who were now masters in Annam, in which he accepted French protection; in the same year he concluded a new treaty with Siam reaffirming Siam's position. After four years of negotiation, Siam admitted the superior rights of France as successors to the rulers of Annam and cancelled the 1863 treaty.⁷ Shortly afterward the French suggested that the Siamese provinces east of the Mékong river, having been at one time part of Annam, should be restored to that kingdom, now a French protectorate. Siam proposed neutrality for these provinces subject to the delimitation of new boundaries and this was agreed upon, but in 1893 collisions occurred between French and Siamese troops. Later in the same year French gun-

boats blockaded the Mênam, successfully demanding the evacuation of the disputed territory. Great Britain now intervened and after lengthy negotiation concluded an agreement with France in 1896 affirming the French acquisitions, marking out spheres of influence and guaranteeing the autonomy of Siam.⁸ This guarantee was confined to the valleys of the Mênam and its tributaries, and left under the unquestioned jurisdiction of the Siamese an area of only about 96,000 square miles. The regions in the northeast and in the south marked out respectively by France and Great Britain were 150,000 square miles in extent.

Siam's final territorial cessions were made in the French and British treaties of 1907 and 1909, in return for concessions on extra-territorial rights. By the treaty of the former year with France, Siam restored to Cambodia the province of Phra Tabong (Battambang),⁹ while by the British treaty of 1909 Great Britain was permitted to incorporate into the Federated Malay States four of Siam's Malay provinces.¹⁰ This latter territorial change has been justified on the ground that the inhabitants of these provinces were Moslem and were related racially to the peoples of the Federated Malay States rather than to the Siamese.¹¹ Meanwhile, Siam never recognized the force of the Franco-British declaration of 1896, to which it was not a party. While, on the other hand, no arrangements were ever made which conflicted with the declaration, Siam proceeded, especially after 1909, to develop the northeastern region of the kingdom, so that today Siam's territorial jurisdiction prevails over an area of more than 200,000 square miles.

FOREIGN RESTRAINTS ABOLISHED

With Siam's entrance into the World War on the side of the Allies, its struggle for full autonomy and for territorial integrity may be said to have entered its final phase.

8. *Ibid.*, p. 220-222; Little, *The Far East*, cited, p. 259-260. For the agreement of 1896, cf. *British and Foreign State Papers*, cited, *Declaration between Great Britain and France with regard to the Kingdom of Siam and other matters*, Vol. 87, p. 187, Articles I-III.

9. Treaty of March 23, 1907, cited, Article I. Certain minor recessions were made by France to Siam. (*Ibid.*, Article II.)

10. Treaty of March 10, 1909, cited, Article I.

11. Total cessions to the French comprised an area of about 90,000 square miles; to the British, about 15,000 square miles. (Graham, *Siam*, cited, p. 222, 224.)

4. Treaty of March 10, 1909, cited, Article V.
5. This was the province of Phra Tabong (Battambang), in which are located the famous ruins of Angkor. W. A. Graham, *Siam* (London, The de la More Press, 1924, 2 vols.), Vol. I, p. 214.
6. *Ibid.*, p. 216.
7. *Ibid.*, p. 218.

As in China, German and Austro-Hungarian residents in Siam lost all treaty rights as a result of the peace treaties following the war.¹² The first significant achievement of the Siamese, however, was the negotiation of the Siamese-American treaty of 1920.¹³ This restored to Siam legal jurisdiction over all Americans in the country, subject only to the provision that until the final promulgation of all Siamese codes of law cases in which Americans were involved might be "evoked"¹⁴ from Siamese courts by the American Consul. Thus far this privilege has not been used. The American treaty also provided for the immediate abrogation of earlier treaties with the United States, and the termination of the 1920 treaty at the end of ten years at the request of either party.¹⁵

Siam's next and final step was to secure similar treaties with all other powers enjoying treaty rights. In all of the new treaties—ten in number—extraterritorial privileges were renounced, as in the American treaty, and with the ratification of the Belgian treaty in 1927 Siam regained tariff autonomy.¹⁶

In the present judicial structure of Siam, embracing the Supreme Court, the Court of Appeals, Courts of First Instance and police

courts, foreign participation in the two high courts is still involved—in the case of the Court of Appeals in accordance with the new French treaty.¹⁷ This arrangement will be discontinued five years after the coming into force of all Siamese law codes, however, while the International Courts, likewise maintained in accordance with the French treaty, will be abolished immediately after the promulgation of the last of the codes.

While a majority of the foreign judges at present on Siamese courts hold their positions on the initiative of the Siamese, even those who have a treaty status sit as individual foreigners and not as representatives of a specific foreign government. Their function is largely educative and it is likely that they will remain for a number of years. Meanwhile a law school has been established at the capital, from the graduates of which it is expected that the personnel of the bench will be drawn progressively. Nevertheless, with the final promulgation of all law codes, the last of which are now being drafted, Siam will have achieved finally a status of absolute equality—a status which it already enjoys in effect owing to the wide recognition abroad of the accomplishments of its "paternal despotism."

12. Treaty of Versailles, Article 135; Treaty of St. Germain, Article 110, and Treaty of Trianon, Article 94.

13. Treaty of December 16, 1920, U. S. Department of State, *Treaty Series*, No. 655 (Washington, Government Printing Office, 1921).

14. For the British treaty of 1883 establishing the right of evocation, cf. p. 148.

15. Tariff autonomy was also provided for, to take effect as soon as all other treaty powers took similar action.

16. Cf. p. 142. A popular account of Siam's treaty negotiations from 1920 to 1926 is to be found in Francis Bowes Sayre, "Siam's Fight for Sovereignty," *Atlantic Monthly*, November 1927.

The registration numbers and citations of Siam's present treaties in the *League of Nations Treaty Series* are as follows: American treaty, Reg. No. 161, Vol. 6, p. 292; Japanese treaty, Reg. No. 795, Vol. 31, p. 187; French treaty, Reg. No. 1055, Vol. 43, p. 189; Netherlands treaty, Reg. No. 1323, Vol. 56, p. 57; British general treaty, Reg. No. 1175, Vol. 49, p. 29; British treaty of commerce and navigation, Reg. No. 1176,

Vol. 49, p. 51; British treaty of arbitration, Reg. No. 1487, Vol. 63, p. 161; Spanish treaty, Reg. No. 1303, Vol. 55, p. 39; Portuguese treaty, Reg. No. 1304, Vol. 55, p. 57; Danish treaty, Reg. No. 1131, Vol. 47, p. 103; Swedish treaty, Reg. No. 1386, Vol. 58, p. 429; Italian treaty, Reg. No. 1436, Vol. 61, p. 215; treaty with Belgium and Luxembourg, Reg. No. 1468, Vol. 62, p. 287; Norwegian treaty, Reg. No. 1404, Vol. 60, p. 35.

In accordance with the French treaty, a special convention was entered into between Siam and French Indo-China in 1926, defining the common border and establishing that the Mékong river should be opened freely to commercial navigation. Convention of August 25, 1926 between French Indo-China and Siam, League of Nations, *Treaty Series*, Vol. 69, p. 313.

17. At present the Supreme Court consists of eleven members, among whom are two Frenchmen, one Englishman and one American, while one Englishman and one Frenchman serve on the Court of Appeals. (*Commercial Directory for Siam*, 1929, cited, p. 66.) The continued presence of two foreign judges on the Court of Appeals is stipulated in a protocol to the French treaty of 1925. (*League of Nations Treaty Series*, Vol. 43, p. 213.)